

## LANDSCAPE ARCHITECTURAL EXAMINING BOARD[193D]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 544B.5, the Landscape Architectural Examining Board proposes to amend Chapter 1, “Description of Organization,” and Chapter 2, “Examinations and Licensing,” Iowa Administrative Code.

These proposed amendments provide a more comprehensive definition and description of the “retired” status for registrants. These amendments also improve service to registrants.

Any interested person may make written or oral suggestions or comments on the proposed amendments on or before May 10, 2012. Comments should be directed to Robert Lampe, Executive Officer, Iowa Landscape Architectural Examining Board, 1920 SE Hulsizer Road, Ankeny, Iowa 50021; by telephone at (515)281-7360; or by E-mail to [robert.lampe@iowa.gov](mailto:robert.lampe@iowa.gov).

A public hearing will be held on Thursday, May 10, 2012, from 9 to 11 a.m. at the offices of the Professional Licensing Bureau, 1920 SE Hulsizer Road, Ankeny, Iowa. At the hearing, persons who wish to speak will be asked to give their names and addresses for the record and to confine their remarks to the subject of the proposed amendments.

Any person who plans to attend the public hearing and has special requirements, such as those related to hearing or mobility impairments, should contact the Board to discuss specific needs.

These amendments are subject to waiver or variance pursuant to 193—Chapter 5.

These amendments were approved by the Board on March 20, 2012.

After analysis and review of this rule making, no adverse impact on jobs has been found. The rule making defines the term “landscape architect, retired.” Although there should be no impact on jobs, the Board will continue to work with stakeholders to minimize any negative impact and maximize any positive impact toward jobs.

These amendments are intended to implement Iowa Code sections 544B.1 and 544B.13.

The following amendments are proposed.

ITEM 1. Adopt the following new definitions of “Landscape architect, retired” and “PLA” in rule **193D—1.1(544B,17A)**:

“*Landscape architect, retired*” means a person who has retired from working as a landscape architect in all states of registration, who has requested “landscape architect, retired” status on the licensure renewal form, and whose request for “landscape architect, retired” status has been approved by the board. For the purpose of these rules, a “professional landscape architect, retired” may be referred to as a “landscape architect, retired.”

“PLA” means professional landscape architect.

ITEM 2. Amend rule **193D—2.1(544B,17A)**, definition of “Landscape architect, retired,” as follows:

“Landscape architect, retired” means a person who held a license as a professional landscape architect and who is retired from the practice of landscape architecture in all states of registration has retired from working as a landscape architect in all states of registration, who has requested “landscape architect, retired” status on the licensure renewal form, and whose request for “landscape architect, retired” status has been approved by the board.

ITEM 3. Amend subrule 2.8(1) as follows:

**2.8(1)** It is the policy of the board to ~~mail~~ e-mail to each registrant a notice of the pending expiration date at the registrant's last-known address approximately one month prior to the date the certificate of registration is scheduled to expire. Failure to receive this notice does not relieve the registrant of the responsibility to timely renew the certificate and pay the renewal fee. A registrant should contact the board office if the registrant does not receive a renewal notice prior to the date of expiration.

ITEM 4. Amend subrule 2.8(7) as follows:

**2.8(7)** Retired status. A person who held a ~~license as a professional landscape architect and who is retired from the practice of landscape architecture in all states of registration~~ may use the title "landscape architect, retired" or "L.A., retired," respectively, ~~in the context of non-income-producing personal activities.~~ registration as a professional landscape architect, who is retired from the practice of landscape architecture in all states of registration, and who has applied for and has been granted retired status from the board may use the title "professional landscape architect, retired" or "PLA, retired." If the board determines an applicant is eligible, the retired status would become effective on the first scheduled registration renewal date. Applicants do not need to reinstate an expired registration to be eligible for retired status. Applicants may apply for retired status on forms provided by the board. The board will not provide a refund of biennial registration fees if an application for retired status is granted in a biennium in which the applicant has previously paid the biennial fees for either active or inactive status. Licensees with retired status are exempt from the renewal requirement.

*a. Permitted practices.* Persons registered in retired status may engage in the practices identified in paragraph 2.8(8)"c." Such persons may also provide services as technical experts before a court, including pre-litigation preparation, discovery, and testimony, on matters directly related to landscape architectural services provided by such persons prior to registering with the board in retired status.

*b. Exemption.* A person whose registration as a landscape architect has been placed on probation, suspended, revoked, or voluntarily surrendered in connection with a disciplinary investigation or proceeding shall not be eligible for retired status unless the board, upon appropriate application, first reinstates the registration to good standing.

ITEM 5. Amend paragraph **2.8(8)"c"** as follows:

*c. Permitted practices.* A person may, while registered as inactive or retired, perform for a client, business, employer, government body, or other entity those services which may lawfully be provided by a person to whom a certificate of registration has never been issued. ~~Such~~ For an "inactive" registrant, such services may be performed as long as the person does not in connection with such services use the title "landscape architect" or any other title restricted for use only by landscape architects pursuant to Iowa Code section 544B.18 (with or without additional designations such as "inactive"). Restricted titles may be used only by active landscape architects who are subject to continuing education requirements to ensure that the use of such titles is consistently associated with the maintenance of competency through continuing education. A "landscape architect, retired" may use the "landscape architect, retired" title; however, the person shall inform whomever the person is providing services to that the person once held an active landscape architect license but is no longer actively licensed or permitted to practice landscape architecture.

ITEM 6. Amend rule 193D—2.10(544B,17A) as follows:

**193D—2.10(544B,17A) Fee schedule.** The appropriate examination fee or examination exemption filing fee shall accompany the application. Filing fees are not refundable.

Examination fee	not to exceed \$1000
Initial examination filing fee	\$50
Proctoring fee	\$50
Examination exemption fee	\$300
(This certificate of registration is to be effective to the June 30 which is at least 12 months beyond the date of the application.)	
Wall certificate fee	\$50
Wall certificate replacement fee	\$25
Certificate of registration fee	\$15/month
(This certificate of registration is to be effective the day of board action until June 30.)	
Biennial registration fee (active)	\$350
Biennial registration fee (inactive)	\$100
Reinstatement of lapsed registration	not to exceed \$750
<u>“Landscape architect, retired” status</u>	<u>\$0 (No fee)</u>